

Remarks

Claims 20 through 38 stand rejected under 35 USC 112 second paragraph as being indefinite with reference to recitation of the limitation "the patient" in line 9 of claim 20, since insufficient antecedent basis for this limitation obtains. In response thereto, the Applicant has amended claim 20 accordingly. Claims 21 and 22 also stand rejected under 35 USC 112 second paragraph for including broad and narrow recitations in the same claim. In response thereto, claims 21 and 22 have been amended accordingly. Review and acceptance is requested.

Claims 20, 24, 27 through 29, and 35 through 38 stand rejected under 35 USC 102(b) as anticipated by Karlsson WO '063. Claims 21 through 23, 25, 26, and 30 through 34 stand rejected under 35 USC 103(a) as being unpatentable over Karlsson WO '063.

In response to these rejections, the Applicant has amended claim 20 to incorporate the features of former claim 23 with the additional recitation that the second closing means extend from the hip belt to the crotch region. Claim 23 has therefore been cancelled. The Examiner had rejected former claim 23 under 35 USC 103 in view Karlsson WO '063. On page 5, extending to page 6 of the previous Office Action, the Examiner states that former claim 23 recites intended use limitations which are met by the prior art of record, since the prior art structure was capable of performing the intended use. However, the structure now claimed in amended claim 20, cannot be met by Karlsson, since the second closing members of Karlsson are not sufficiently long to extend from the hip belt to the crotch region. This limitation is therefore missing from the prior art of record.

Through extension of the second closing means from the hip belt region to the crotch region in a substantially V-shaped manner, the inventive diaper can remain on the patient while opening the diaper for inspection or urination. None of the prior art of record suggests this limitation nor provides any motivation for the advantageous associated therewith. Claim 20 is therefore sufficiently distinguished from the prior art of record to satisfy the conditions for patenting in the United States. The dependent claims of record inherit the limitations of the respective base claim and are therefore similarly patentable. The Applicant therefore submits that this application is in a position of allowance and respectfully requests passage to issuance.

No new matter has been added in this amendment.

Respectfully submitted,

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